

**TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE**



**FISCAL NOTE**

**HB 3165**

March 18, 2012

**SUMMARY OF BILL:** Prohibits any person, for non-commercial use, from possessing Class I or Class II wildlife without specified documentation. Authorizes the Department of Agriculture (TDOA) to promulgate rules and regulations regarding the breeding of white-tailed deer. Removes the permits and permit fees for commercial propagators, propagators, temporary exhibitors, permanent exhibitors, and commercial wildlife preserves. Removes the permitting requirements for non-residents entering the state for the purpose of selling Class I or Class II wildlife species; artificial wildlife propagators; and commercial propagators. Transfers authority for hunting permits from the Tennessee Wildlife Commission to TDOA. Removes any moratorium on the permitting of private wildlife preserves. Requires that notification be made to the Tennessee Wildlife Resources Agency (TWRA) or the Tennessee Exotic Wildlife Board when there is an escape of or injury caused by any Class I wildlife. Creates a five-member Exotic Wildlife Board (Board). Establishes membership requirements of the Board. Creates specified classifications for live wildlife that is kept and maintained for any purpose. Establishes permitting requirements for the classifications.

Establishes criteria for enclosing and caging wildlife. Creates liability against the owner for any costs incurred by any person, city, county, or state board resulting from the escape of Class I wildlife. Establishes criteria for the transfer of Class I wildlife to a new owner. Establishes permitting requirements for facilities that propagate wildlife. Establishes importation permitting and reporting requirements. Creates falconry permitting requirements.

Establishes procedures by which the Board must address permitting, possession, transport, and other violations. Creates a Class A misdemeanor for any such violation, including the failure to remedy a violation. Prohibits the forfeiture or disposal of wildlife seized by the Board unless the offender is convicted of the offense charge and all appeals from the conviction have been exhausted. Requires an appeals bond to cover the cost of holding and maintaining such animals. Sunsets the Board on June 30, 2014.

**ESTIMATED FISCAL IMPACT:**

**Increase State Revenue - \$107,500/FY12-13 and Subsequent Years**

**Increase State Expenditures - \$105,800/One-Time  
\$458,400/FY12-13 and Subsequent Years**

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Assumptions:

- TDOA will charge \$1,000 for a Class I permit and anticipates issuing 20 permits. The recurring increase in state revenue is \$20,000 (\$1,000 fee x 20 permits).
- TDOA will charge \$500 for a big game permit and anticipates issuing 89 permits. The recurring increase in state revenue is \$44,500 (\$500 fee x 89 permits).
- TDOA will charge \$250 per small game permit and anticipates issuing 172 permits. The recurring increase in state revenue is \$43,000 (\$250 fee x 172 permits).
- The total recurring increase in state revenue is \$107,500 (\$20,000 + \$44,500 + \$43,000).
- TDOA will hire a Program Administrator for the Commercial Exotic Wildlife Regulatory Program. The recurring increase in state expenditures is \$74,901 (\$60,000 salary + \$14,901 benefits).
- TDOA will hire an Administrative Services Assistant. The recurring increase in state expenditures is \$35,009 (\$25,320 salary + \$9,689 benefits).
- TDOA will purchase office supplies for the Administrator and Assistant. The recurring increase in expenditures is \$2,000 (\$1,000 supplies x 2 employees).
- TDOA will hire six Animal Health Technicians. The recurring increase in state expenditures is \$220,266 [(\$26,800 salary + \$9,911 benefits) x 6 employees].
- TDOA will purchase computers and printers for the eight new staff members. The one-time increase in state expenditures is \$20,000 (\$2,500 x 8 employees).
- The recurring increase in state expenditures for professional services is \$9,600 (\$1,200 per employee x 8 employees).
- TDOA will cross train current Animal Health staff relative to the new commercial exotic wildlife program responsibilities.
- The cross trained employees and Administrator will attend a three-day training session three times annually. The recurring increase in state expenditures is \$34,200 (\$600 per training x 19 employees x 3 session).
- The recurring increase for travel expenses for the 19 employees to attend the training is approximately \$28,500 (\$500 per training x 19 employees x 3 trainings).
- TDOA will purchase safety attire and gear for the 18 Animal Health staff members. The one-time increase in state expenditures is \$9,000 (\$500 supplies x 18 employees).
- TDOA will purchase three enclosed trailers resulting in a one-time increase in state expenditures of \$25,500 (\$8,500 per trailer x 3).
- TDOA will purchase 18 animal crates resulting in a one-time increase in state expenditures of \$36,000 (\$2,000 per crate x 18).
- TDOA will purchase a firearm and tranquilizer gun for each field employee resulting in a one-time increase in state expenditures of \$15,300 [(\$500 gun + \$350 tranquilizer gun) x 18 employees].
- TDOA will lease and maintain six trucks. The recurring increase in state expenditures is \$26,208 {[( \$0.21 per mile x 18,000 miles) + \$588 administrative fee] x 6 trucks}.
- The recurring increase in state expenditures for truck fuel is approximately \$22,500 [(1,000 gallons per year x \$3.75 per gallon) x 6 trucks].
- The recurring increase in state expenditures for oil changes is \$195 (\$32.50 x 6 oil changes).

- TDOA will utilize the services of a contract veterinarian at a cost of approximately \$5,000 annually.
- The total recurring increase in state expenditures is \$458,379 (\$74,901 + \$35,009 + \$2,000 + \$220,266 + \$9,600 + \$34,200 + \$28,500 + \$26,208 + \$22,500 + \$195 + \$5,000).
- The total one-time increase in state expenditures is \$105,800 (\$20,000 + \$9,000 + \$25,500 + \$36,000 + \$15,300).

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "Lucian D. Geise". The signature is fluid and cursive, with the first name "Lucian" written in a larger, more prominent script than the last name "Geise".

Lucian D. Geise, Executive Director

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